

**United States District Court
for the
Eastern District of Washington**

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Kenneth R. Budik Case Number: 0980 2:14CR00021-RMP-18

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Address of Offender: 553 East Crown, Spokane, Washington 99207-1317

Name of Sentencing Judicial Officer: The Honorable Rosanna Malouf Peterson, Chief U. S. District Judge

Date of Original Sentence: March 17, 2015

Original Offense: Conspiracy to Distribute Oxycodone Hydrochloride, 21 U.S.C. § 841(a)(1), (b)(1)(C)

Original Sentence: Prison - 24 months; TSR - 36 months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Aine Ahmed Date Supervision Commenced: December 9, 2015

Defense Attorney: Federal Defenders Office Date Supervision Expires: December 8, 2018

PETITIONING THE COURT

To issue a summons.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1 **Mandatory Condition # 2:** The defendant shall not commit another Federal, state, or local
 crime.

Supporting Evidence: On January 10, 2016, Mr. Budik violated his conditions of supervision in Spokane, Washington, by being placed under arrest for charges of driving under the influence.

2 **Special Condition # 14:** You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: On January 11, 2016, Mr. Budik violated his conditions of supervision in Spokane, Washington, by failing to obtain a chemical dependency evaluation. On December 11, 2015, Mr. Budik was directed by the undersigned officer to contact Alcohol Drug Education Prevention Treatment (ADEPT) to complete a chemical dependency evaluation. On January 11, 2016, the undersigned officer contacted ADEPT and was advised that Mr. Budik had not scheduled his chemical dependency evaluation and had not made any attempt to contact them.

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Special Condition # 15: You shall abstain from alcohol and shall submit to testing(including urinalysis and Breathalyzer) as directed by the supervising officer, but no more than 6 tests per month, in order to confirm abstinence from this substance.

Supporting Evidence: On January 10, 2016, Mr. Budik violated his conditions of supervision in Spokane, Washington, by consuming alcohol. Mr. Budik was charged with driving under the influence (DUI) on January 10, 2016. He self reported to the undersigned officer that he was drinking champagne the night of his DUI arrest.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the offender to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 01/14/2016

s/Corey M. McCain

Corey M. McCain
U.S. Probation Officer

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- Other



Signature of Judicial Officer

1/14/2016

Date